

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application for Approval of the
Indirect Transfer of Control of Evans Telephone
Company (U-1008-C) to ABRY Partners, LLC.

Application 02-03-015
(Filed March 13, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
REQUIRING ADDITIONAL INFORMATION**

In Decision 01-06-084 in A.00-09-045, the Commission expressed concern as to the financial viability of Country Road's purchase of Evans Telephone for approximately \$70 million of which about \$42 Million was debt, the balance being equity. Only after responding to two assigned Administrative Law Judge rulings, which included declarations two from Country Road officers, did the Commission ultimately approve the application for Evans to sell to Country Road.

Again we are concerned by the lack of financial information provided in this application to affect the proposed transfer. ABRY states through the declaration of Royce Yudkof, managing partner, that Country Road, and in turn Evans Telephone Company, will benefit from ABRY's investment not only from an infusion of capital, but also through ABRY's in-depth industry knowledge, extensive relationships, flexible financing capabilities and capital market expertise.

Specifically we are concerned how ABRY will generate the capital to affect this proposed transaction. In this application, Applicants filed under seal, Exhibits E and F, "Financial Information for ABRY Partners IV, L.P." and "Term

Sheet”. A review of that information indicates to us that there does not appear to be enough cash to provide the infusion of capital and the necessary capital to provide an equity interest in Country Road that applicants’ state will be one of the results of this proposed indirect transfer of control.

We are not satisfied with Applicants lack of detail as to how ABRY will obtain the necessary financing to effectuate the proposed indirect transfer of control.

IT IS RULED that Evans Telephone Company (Evans) and ABRY, Applicants, shall serve the following no later than May 31, 2002: The amount of capital ABRY plans to “infuse” into Evans Telephone Company’s operations, the amount of money ABRY intends to expend to affect control of Country Road. Specifically, will ABRY purchase stock of Country Road, and if so, approximately how much and where will ABRY obtain the funds to do so?

Dated May 29, 2002, at San Francisco, California.

/s/ DEAN J. EVANS

Dean J. Evans
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Requiring Additional Information on all parties of record in this proceeding or their attorneys of record.

Dated May 29, 2002, at San Francisco, California.

/s/ KRIS KELLER

Kris Keller

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.